

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference mic162wo	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/008913	International filing date (day/month/year) 12 August 2003 (12.08.2003)	Priority date (day/month/year) 13 August 2002 (13.08.2002)
International Patent Classification (IPC) or national classification and IPC B32B 7/08		
Applicant MICRONAS GMBH		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 22 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 17 February 2004 (17.02.2004)	Date of completion of this report 24 September 2004 (24.09.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/008913

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages 2-13/1, 1a _____, filed with the letter of 17 February 2004 2005 (17 February
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages 2-15, 17-27/1-16 _____, filed with the letter of 17 February 2004 2005 (17 February
- ☒ the drawings:
 pages 1/3-3/3 _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International Application No.

PCT/EP 03/08913

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-15, 27	YES
	Claims	16-18, 22	NO
Inventive step (IS)	Claims	15, 27	YES
	Claims	1-14, 16-26	NO
Industrial applicability (IA)	Claims	1-27	YES
	Claims		NO

2. Citations and explanations

Claim 1

Document US-A-4 610 042 (D1) discloses a method for producing a solid connection between two layers of a multilayer system (understood by a person skilled in the art to also cover a laminate consisting of two layers), anchoring elements (78) being embedded in at least one of the layers (42, 44), the anchoring elements being made of a different material from the layers to be joined (see figures 11 and 12 and column 5, line 56 to column 6, line 17 of D1).

The subject matter of claim 1 differs from the method known from D1 by virtue of an additional etching step.

A person skilled in the art would be capable of providing such an additional step when wishing to further improve bonding of the outer layers 22 and 24 with the adhesive layer 78, without thereby being inventive.

Consequently, the subject matter of claim 1 does not involve an inventive step and the claim itself does

not meet the requirements of PCT Article 33(3).

Claim 16

D1 also discloses a multilayer system comprising at least a first layer and a second layer, anchoring elements (78) being embedded in at least one of the two layers (42, 44), the anchoring elements being made of a different material from the layers to be joined (see figures 11 and 12 and column 5, line 56 to column 6, line 17 of D1).

The fact that one of the layers is subjected to an etching step cannot be discerned from the product itself, in particular when the etching is carried out on a surface that faces away from the surface of the other layer.

Consequently, the subject matter of claim 16 is not novel and the claim itself does not meet the requirements of PCT Article 33(2).